Annual Report

YEAR ENDED MARCH 31, 1984

Alberta

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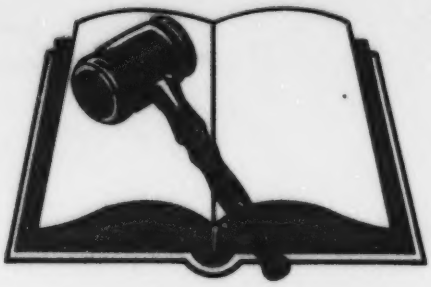
Annual Report

YEAR ENDED MARCH 31, 1984



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Alberta
ATTORNEY GENERAL

Annual Report

Alberta

ATTORNEY GENERAL AND
GOVERNMENT HOUSE LEADER

Office of
the Minister

403/427-2339

227 Legislative Building
Edmonton, Alberta, Canada
T5K 2B6

January 22, 1985

The Honourable G. Amerongen, Q.C.,
Speaker,
Legislative Assembly of Alberta,
325 Legislature Building,
Edmonton, Alberta
T5K 2B6

Dear Mr. Amerongen:

I have the honour to submit the Annual Report of the Department of the Attorney General for the year-end March 31, 1984.

Respectfully submitted,

Neil Crawford

Neil Crawford, Q.C.,
Attorney General

Alberta

ATTORNEY GENERAL

Office of
the Deputy Attorney General

403/427-5032

9833-109 Street
Edmonton, Alberta, Canada
T5K 2E8

January 15, 1985

The Honourable Neil Crawford, Q.C.,
Attorney General of Alberta,
227 Legislature Building,
Edmonton, Alberta
T5K 2B6

Dear Sir:

I am pleased to present the Annual Report of the Department of the Attorney General for the fiscal year April 1, 1983 to March 31, 1984.

Respectfully submitted,

D.W. Perras,
Deputy Attorney General

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THE ADMINISTRATION OF JUSTICE IN ALBERTA

Duties And Responsibilities Of The Attorney General

Courts in Alberta

Duties And Responsibilities Of The Attorney General Of Alberta

Since Confederation, the provincial department of the Attorney General has, in practice, "administered justice" in the broadest sense, irrespective of whether the laws being administered fell legislatively within the purview of provincial legislatures or the federal Parliament. This is reflected in the provision of police services and enforcement agencies responsible to the provincial Attorney General for the investigation, detection and control of crime within the respective province and in the maintenance of staffs for the prosecution of all types of infractions, whether within the purview of provincial legislatures or the federal Parliament. In this way, the provinces have perpetuated since Confederation the comprehensive powers in the administration of justice which they enjoyed and exercised in pre-Confederation times and which the framers of the British North America Act would seem to have intended them to continue to have. Explaining the British North America Bill in the British Parliament, the Earl of Carnarvon stated on the 19th February 1867:

'To the Central Parliament will also be assigned the enactment of criminal law. The administration of it indeed is vested in the local authorities; but the power of general legislation is properly reserved for the Central Parliament'.

In keeping with the exclusive power given to the provinces by the BNA Act in relation to certain matters, Alberta passed in 1905 the first Attorney General's Act which is found in the present-day statutes of Alberta in substantially the same form as it appeared in 1905. Section 2 of the Act deals in a more complex way with the scope of the responsibilities of the Attorney General of Alberta, giving due emphasis to functions performed by the Civil Law Division, Court Services and the Criminal Law Division, as well as the Public Trustee, the Inspector of Land Titles, the Chief Medical Examiner, Legislative Counsel, the Director of Legal Research and Analysis and the Constitutional and Energy Law Branch. Section 2 sets out specific responsibilities, which are not to be taken as exhaustive.

Section 2 is set out below:

The Attorney General

(a) is the official legal advisor of the Lieutenant-Governor;

(b) shall ensure that public affairs are administered according to law;

(c) shall superintend all matters relating to the administration of justice in Alberta that are within the powers or jurisdiction of the Legislature or the Government;

(d) shall advise on legislative acts and proceedings of the Legislature and generally advise the Crown on matters of law referred to him by the Crown;

(e) shall exercise the powers and is charged with the duties attached to the office of the Attorney General of England by law or usage insofar as those powers and duties are applicable to Alberta;

(f) shall advise the heads of the several departments of the Government on matters of law connected with them respectively;

(g) shall settle instruments issued under the Great Seal of the Province;

(h) shall regulate and conduct litigation for or against the Crown or a public department in respect of subjects within the authority or jurisdiction of the Legislature;

(i) is charged generally with any duties that may be at any time assigned to the Attorney General of Alberta by law or by the Lieutenant Governor in Council;

(j) is responsible for the conduct of the matters hereinafter set out, the enumeration of which shall not be taken to restrict the general nature of any provision of this Act:

(i) the supervision of the administration of the law governing titles to real property in Alberta;

(ii) the recommendation of the appointment of and the giving of advice to sheriffs, registrars, judicial officers, justices of the peace, medical examiners, notaries public and commissioners for oaths;

(iii) the consideration of applications for bail and attendance thereon;

(iv) the consideration and argument of appeals from convictions and acquittals of persons charged with indictable offences;

(v) the hearing of applications for the granting of fiats regarding petitions of right, criminal informations, indictments, actions to set aside Crown patents, actions to recover fines and penalties and other actions of a similar nature;

(vi) the consideration of applications for the remission of fines and penalties;

(vii) the appointment of counsel for the conduct of criminal business;

(viii) the arrangement of the sittings of the courts of justice in Alberta and the regulation of the work of official court reporters;

(ix) the supervision of the offices of the courts of law in Alberta;

(x) the examination of papers in connection with the admission and discharge of persons to and from mental health facilities;

(xi) the consideration of proposed legislation and other matters of a public nature;

(xii) the drawing of special conveyances and instruments of a similar nature relating to the sale or purchase of property under any Act relating to public works or otherwise.

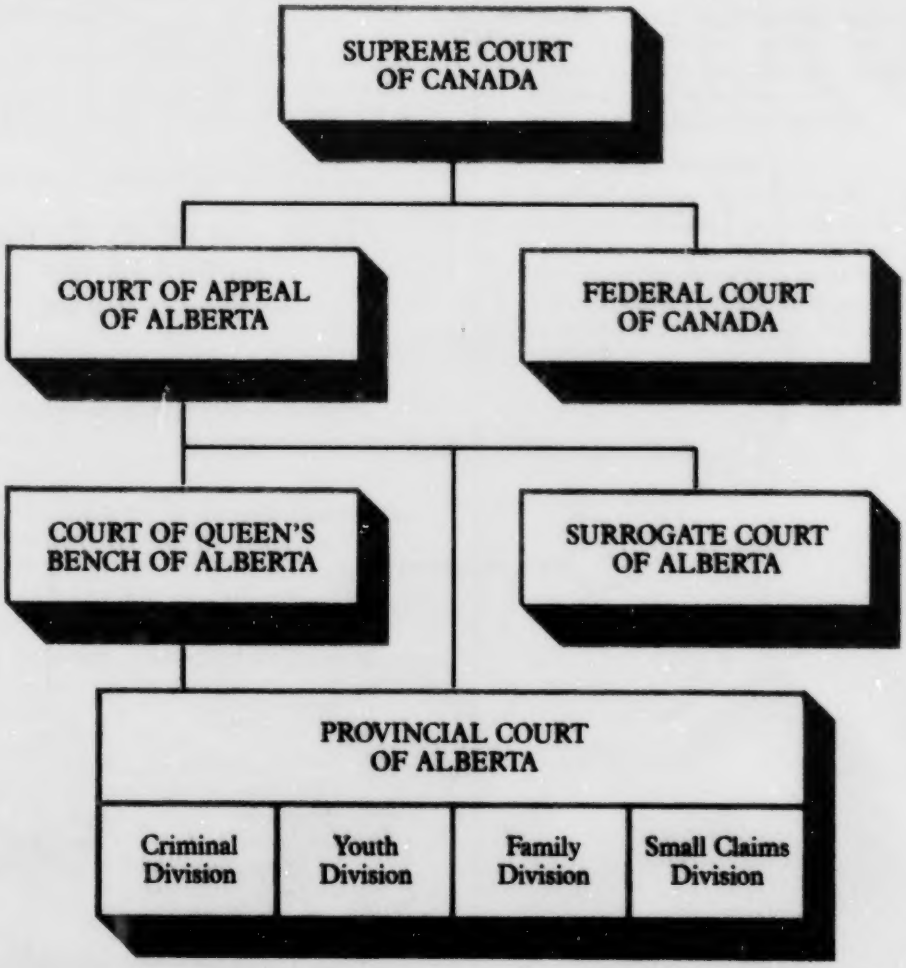
Courts In Alberta

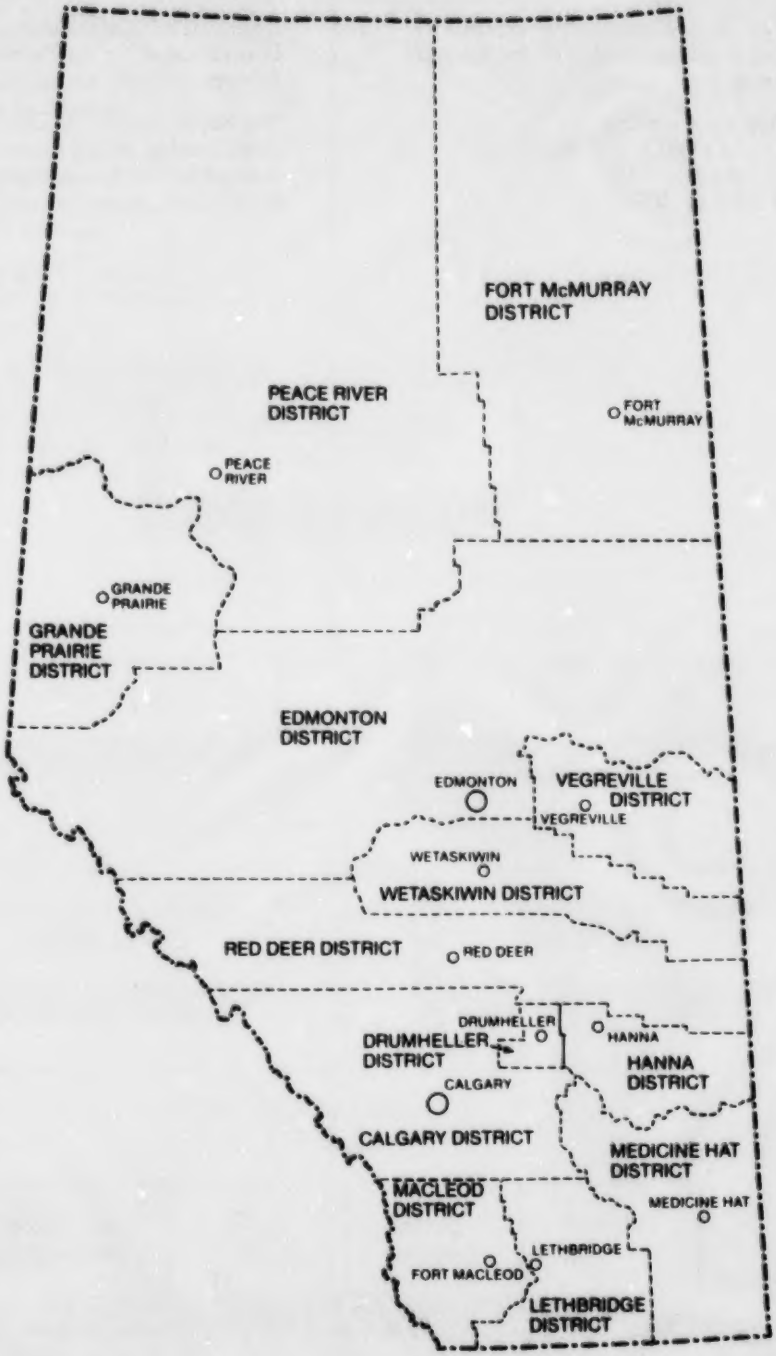
There are four courts in Alberta, all constituted by provincial statute and administered by the Attorney General of Alberta:

The Court of Appeal of Alberta
The Court of Queen's Bench of Alberta
The Surrogate Court of Alberta
The Provincial Court of Alberta

Registries are also maintained by the Attorney General's staff for the Federal Court of Canada in Alberta.

The Supreme Court of Canada, although not constituted or administered provincially, is the court of last appeal for courts of provincial jurisdiction.





JUDICIAL DISTRICTS
PROVINCE OF ALBERTA

COURT OF APPEAL OF ALBERTA

Chief Justice of Alberta: Wm. A. McGillivray

The Chief Justice presides over the Court of Appeal of Alberta. In addition to the Chief Justice, the Court consists of nine Justices of Appeal appointed by the Governor-General-in-Council.

The Court hears appeals, usually in panels of three justices, from all courts in the Province of Alberta and the Northwest Territories. Its decisions may be appealed to the Supreme Court of Canada in Ottawa.

Caseload Statistics

The number of civil appeals filed during the year increased by almost 16 per cent to 865 from 746. The number of civil appeals heard increased by 28 per cent to 372 from 291.

The number of criminal appeals filed increased by 19 per cent to 1,432 from 1,201 and the number of criminal appeals heard decreased by nine per cent to 1,387 from 1,526.

Statistical details are provided in Table 1 on page 22.

COURT OF QUEEN'S BENCH OF ALBERTA

Chief Justice: W.K. Moore

The Chief Justice presides over the Court of Queen's Bench of Alberta. In addition to the Chief Justice, the court now consists of an Associate Chief Justice and 49 justices.

Appointments

On February 24, 1984, the Honourable Mr. Justice W.K. Moore became the Chief Justice of the Court of Queen's Bench of Alberta. The Honourable Mr. Justice T.H. Miller became the Associate Chief Justice on the same date.

During this fiscal period, an additional four justices were appointed and two justices became supernumerary.

Caseload Statistics

The number of civil and criminal trials heard increased during the year, but the number of civil cases commenced decreased. Additional statistical details are provided in Table 1 on page 22.

SURROGATE COURT OF ALBERTA

Chief Justice: W.K. Moore

The Surrogate Court has jurisdiction in relation to testamentary matters and in the issuing of grants of probate and administration. It also has jurisdiction in matters related to children under guardianship and the appointment of guardians.

The Chief Justice and the other justices of the Court of Queen's Bench of Alberta also sit as judges of the Surrogate Court.

THE PROVINCIAL COURT OF ALBERTA

Chief Judge: C.A. Kosowan

The Provincial Court exercises both civil and criminal jurisdiction: civil by virtue of the Provincial Court Act, and The Landlord and Tenant Act; and criminal by virtue of the Criminal Code and a variety of provincial statutes.

Judicial Appointments

Four judges were appointed by the Lieutenant-Governor-in-Council, one each for Red Deer, Edmonton, Calgary and Grande Prairie. One supernumerary Provincial Judge was also appointed. The complement of judicial appointments now includes 103 permanent and four supernumerary positions.

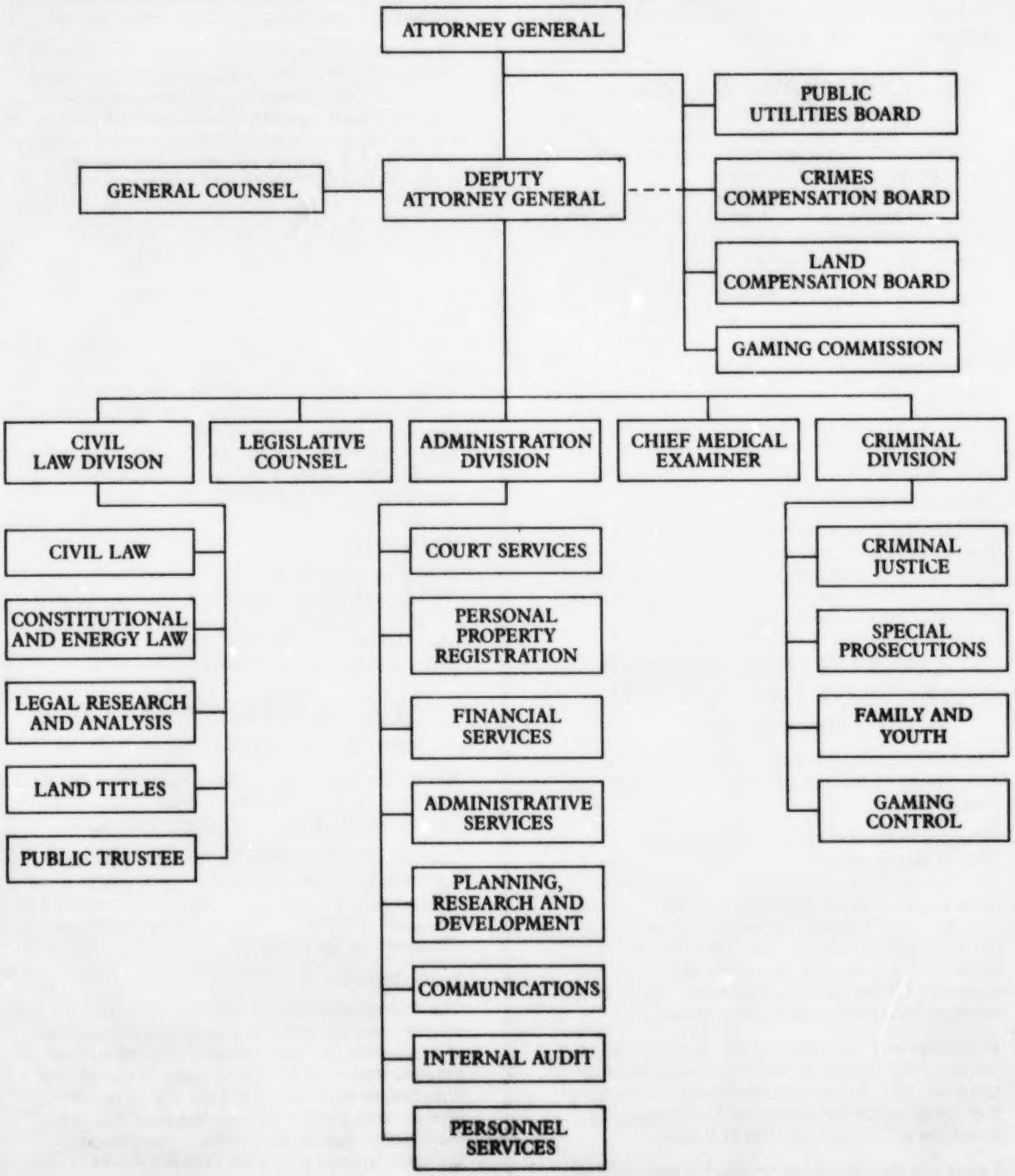
THE DEPARTMENT OF THE ATTORNEY GENERAL OF ALBERTA

Organizational Chart

Division Reports

- Civil Law
- Criminal Law
- Administration
- Special Sections
- Boards and Agencies

Organizational Chart



Civil Law Division

Assistant Deputy Minister: D.G. Rae

This division is responsible for the administration of the civil legal services provided by the department, including the provision of legal advice to the Crown.

CIVIL LAW BRANCH

Director: J.E. Klinck

Lawyers within the branch act as legal advisors in civil matters to all departments and many government boards and agencies. They are required to prepare legal opinions, draft agreements and work on intergovernmental or interdepartmental committees.

Branch lawyers appear as counsel for the Crown in all courts of civil jurisdiction and as commission counsel in public inquiries under the Fatality Inquiries Act.

Staffing

Civil Law has a legal staff complement of 51 lawyers. There are five students at-law in the articling program.

Program Development

Civil lawyers attend in-service training programs and seminars sponsored by the Alberta Government Civil Lawyers Association and the Legal Education Society of Alberta, as well as meetings of the Alberta and Canadian Bar Associations.

CONSTITUTIONAL AND ENERGY LAW BRANCH

Director: N. Steed

The branch gives legal advice to the provincial government on matters involving constitutional and energy law.

Constitutional issues involve all fields of law. Branch lawyers appear in courts throughout the province and in the Supreme Court of Canada on cases involving constitutional or civil rights issues. The Attorney General must be notified when parties to a court action intend to raise constitutional arguments. He may elect to appear as an intervenant in legal proceedings where parties to a court action intend to raise these arguments.

Branch lawyers also appear with Crown counsel on criminal cases where the validity of a section of the Criminal Code of Canada is challenged on the basis that it will violate the Charter of Rights and Freedoms or the Canadian Bill of Rights.

Lawyers in the branch are required to prepare legal opinions and to work on intergovernmental or interdepartmental committees dealing with the constitutional validity of both existing and contemplated federal and provincial law.

Members of the branch are called upon to speak to groups both inside and outside the government on matters of concern in areas of their expertise.

During this past year, cases involving the Canadian Charter of Rights have been predominant. Many of these cases are now reaching the Supreme Court of Canada. The branch has represented the Alberta Attorney General in many of these cases before all levels of Alberta courts and before the Supreme Court of Canada.

LEGAL RESEARCH AND ANALYSIS BRANCH

Director: Clark W. Dalton

The branch researches and analyzes statute law, judicial decisions and legal periodicals, and provides the Attorney General with legal advice on law reform and policy planning. Staff now serve on interdepartmental committees studying law reform, professions and occupations, the joint Alberta Government/Law Society Committee for Law Libraries in Alberta, the Institute of Law Research and Reform, and the Uniform Law Conference of Canada. The branch maintains liaison with other law reform bodies.

During the year, the branch developed legislation relating to the Public Inquiries Act and the Law of Property Act. It was also involved in continuing research projects in personal property security, builders' liens, judicial review and land titles.

LAND TITLES BRANCH

Inspector of Land Titles Offices: K.B. Payne

Alberta is divided into two land registration districts. The Land Titles Office for the south is located in Calgary and the northern office is in Edmonton.

The branch is responsible for the examination and registration of land-related documents, issuance and updating of titles, custody of original documents and titles, and provision of searches of both titles and documents to the public.

Public Service

The volume of documents registered increased by 4.2 per cent over the previous year. While the number of subdivision and condominium plan registrations dropped sharply, the overall volume of survey plan registrations increased by 3.2 per cent over 1982-83. 28.6 per cent more titles were endorsed with tax notifications than in the previous year. Search activities declined by 2.4 per cent in 1983-84.

PUBLIC TRUSTEE BRANCH

Public Trustee: L.W. Gardiner, Q.C.

The Public Trustee's office provides three main services to Albertans.

Firstly, the Public Trustee protects the assets and financial interests of disadvantaged persons and children under 18 years of age by acting as guardian of their estates.

Secondly, the Public Trustee acts as trustee of the estates of dependent adults who are legally unable to handle their own business affairs by reason of mental or physical disability.

Lastly, where a person dies intestate having no relative in the province, or where the next-of-kin are not prepared to administer the estate, or request the Public Trustee to act, the Public Trustee will act as administrator of the estate.

New guardianship administrations decreased in 1983-84 by 4.1 per cent. In the majority of cases, each administration involved a number of children who had individual interests in the estate of a deceased person. Many trusts were also opened for minors who received personal injury accident awards under court orders or settlements resulting from legal actions where the death of a parent resulted from the negligence of a third party. Accountings were made to minor beneficiaries as they attained 18 years of age and assets held in trust by the Public Trustee were delivered to them.

There was a 3.6 per cent increase, to 428 from 413, in new administrations opened by the division responsible for the protection of dependent adult estates. Deceased estate administrations decreased by 17.8 per cent to 610 from 742.

Overall, new trust administrations decreased 7 per cent to 2,267 from 2,437. There were 14,019 administrations in process as of March 31, 1984, compared to 14,121 at the beginning of the fiscal year.

The trust balance sheet, shown in Table 3 on page 24, provides a comparative analysis of assets and liabilities of estates and trusts under direct administration by the Public Trustee.

Cash deposits to Public Trustee bank accounts decreased by 3.6 per cent to $195.3 million from $202.6 million. Trust assets, as recorded for administrative purposes, increased by 9 per cent to 152.2 million from $138.9 million.

Criminal Law Division

Assistant Deputy Minister - D.W. Perras

This division is responsible for providing legal services relating to criminal justice in all levels of court throughout the province.

CRIMINAL JUSTICE BRANCH

The branch provides prosecutorial services through offices located in Edmonton, Calgary, Lethbridge, Grande Prairie, Red Deer, Drumheller, Medicine Hat, Peace River, Vegreville, Wetaskiwin, Ft. McMurray, St. Paul and Hinton. Head Office in Edmonton provides such services as budgeting, personnel administration, and provision of equipment and facilities.

The branch also participated in the Grande Prairie Community Reconciliation Program for Young Offenders. This program provides voluntary option to eligible young people to take an active role in correcting any damage caused by their behaviour without going through traditional court procedures.

The Board of Review handles Lieutenant-Governor's warrants issued under Sections 544, 546, and 547 of the Criminal Code. Through appointment by the Lieutenant-Governor-in-Council, the five members and two alternates review reports on each person held in custody under a Lieutenant-Governor's Warrant.

SPECIAL PROSECUTIONS BRANCH

Director: N. McCrank

This branch provides expertise in handling prosecutions involving commercial or corporate criminal conduct of a complex nature, cases involving organized criminal activity where a number of jurisdictions are involved, and criminal matters where there is a major involvement of a provincial government agency.

FAMILY AND YOUTH BRANCH

Director: J.R. Basey

The branch is responsible for the administration of juvenile justice.
An important role of the branch is to consolidate the administration of combined family and youth legal services within the department.

GAMING CONTROL BRANCH

Chief Inspector: W.W. McCall

Demand for licenced gaming has increased each year since the collection of detailed statistics began in 1974. In 1982, a total of 4,986 applications were processed, compared to 5,826 in 1983, an increase of 16.8 per cent. Across the province, gross revenue from gaming increased by 10.5 per cent to $244.6 million in 1983 from $221.3 million in 1982. Net profits to licenced organizations rose proportionately, to $46.4 million from $44.1 million.

Division of responsibilities between the Gaming Control Branch and the Alberta Gaming Commission has not changed since 1981. Gaming Control processes all applications, performs all audits and conducts all inspections and investigations. The Alberta Gaming Commission is the licence-issuing authority, conducts public hearings into applications that come under question and is responsible for developing policy.

Administration Division

Assistant Deputy Minister: C.R. Shank

This division is responsible for non-legal staff functions, and for providing the department with administrative support.

COURT SERVICES BRANCH

Executive Manager: R.B. Dunster

The branch provides administrative support, including court reporters, justices of the peace, sheriff's services, and law libraries to all courts in the province.

Staffing

The position complement of Court Services decreased at the start of the fiscal period by three positions. During the same period eight other positions were added: one Master-In-Chambers position, one Provincial Judge position and six positions to support the appointment of three Court of Queen's Bench justices.

Court Automation Project

The Court Automation Project (CAP) was completely implemented in August, 1983. As a result, it is now possible to track criminal cases on a province-wide basis from the Provincial Court through to the Court of Appeal.

Civil and Sheriff's Entry System

The development of the Civil and Sheriff's Entry System (CASES) for Edmonton and Calgary commenced during the fiscal period. CASES will automate the current manual tracking of civil actions commenced within the Court of Queen's Bench as well as matters handled by the Sheriff's office.

Court Reporting Systems

Transcript production statistics are compiled on a calendar year basis. During 1983, transcript orders totalled 1,130,281 pages, compared to 1,097,601 pages produced last year, 983,544 pages in 1981 and 968,353 in 1980.

Clerk of the Court

Caseload statistics for the Court of Queen's Bench for 1983-84 and the comparative information for 1982-83 are shown in Table 1 on page 22.

Law Libraries

The Law Library provides legal information to lawyers, judges and the general public.

The Law Society libraries, the Provincial Court Judges' libraries in Red Deer and Wetaskiwin, the Provincial Court Libraries Head Office, and the Provincial Court Judges' Library in Edmonton all moved to new quarters. The Provincial Court Legal Reference libraries in Hinton and St. Paul were also relocated during the year.

The provision of reference and research service increased 46 per cent in Provincial Court Libraries, 21 per cent in Law Society Libraries and 11.6 per cent in the Departmental Library.

Sheriff's Office

The Sheriff and sheriff's officers are responsible for the service of court orders and documents, including jury summonses and writs effecting seizures and evictions.

Activities are documented in Table 1 on page 22.

PERSONAL PROPERTY REGISTRATION BRANCH

Manager: P.J. Rose

In the spring session of the legislature, the Chattel Security Registries Act was passed. This act allows for the computerization of the Central and Vehicle Registries. During the fiscal year new regulations, a registration guide and input forms were prepared.

Construction and testing of the Central and Vehicle Registry Information System (CVRIS), was completed during the fiscal year. This computer-based system will automate the registration and search activities of the branch. It will also gather and report statistical and accounting information which will provide input to the reconciliation of revenue collections and charges.

As a preliminary to implementing CVRIS, conversion of active Central Registry records was commenced in November, 1982 and completed during the fiscal year. At year-end, 628,060 registrations and amendments had been added to the data base.

Vehicle Registry

The purpose of the Vehicle Registry system is to record security interest documents and facilitate searches on motor vehicles, aircrafts, trailers, oilwell drilling equipment and railway rolling stock.

During 1983-84, the Vehicle Registry registered 411,718 documents and conducted 432,818 searches. Compared to the previous year, this represents a marginal increase in registrations and an increase of 3.4 per cent in searches.

Central Registry

The Central Registry records security interest documents and conducts searches on all chattels not recorded in the Vehicle Registry.

During 1983-84, 182,140 documents were registered and 122,333 searches were conducted, representing increases from the previous year of 12.3 per cent and

10.4 per cent respectively. In addition, 14,685 partnerships, limited partnerships and trade names were registered.

Details of the activities of the Central and Vehicle Registries during the fiscal period are provided in Table 4 on page 24.

FINANCIAL SERVICES BRANCH

Manager: D. Medwid

The branch provides a financial support and advisory service to the department.

Financial Planning

This section is responsible for providing continuous financial analysis of departmental operations and for the preparation and presentation of annual budgets.

Financial Operations

There are two operational units in this section:

1. Pay and Benefits: This unit coordinates commencements, terminations and changes in pay status for all department employees. Payroll costs for 1983-84 amounted to approximately $78 million, or 65 per cent of total departmental expenditure.

2. Revenue and Expenditures: This unit reports all departmental revenue collected from departmental operations throughout the province. Revenue for the fiscal year increased by $511,368 to $56,549,169. Revenue details are provided in Table 5 on page 25. The expenditure unit processes all non-payroll costs. Expenditure details are shown in Table 6 on page 26.

Financial Systems

The Systems unit provides general financial advisory services to departmental managers including financial representation during the development of new or changing systems in the department.

The Central Finance unit coordinates the collection and distribution of fines levied by the courts. The fines levied are distributed to more than 350 municipalities and to the federal and provincial governments.

ADMINISTRATIVE SERVICES BRANCH

Manager: H.A. Brinton

The branch provides a variety of administrative services.

Special Services

This section is responsible for methods and procedural studies, the analysis and design of departmental forms and reports, maintenance of the forms management program and the operation of a reprographics unit. In addition to studies into the procedures of the judicial interim release system, studies were conducted in the Family and Youth court system as well.

A methods and procedures project has also been initiated with the Chief Medical Examiner's Office.

In order to meet the requirements of federal and provincial legislation, forms and reports were developed for the Young Offenders Act.

Materials and Facilities

This section provides a central purchasing and supply service, administers all facility and accommodation projects for the department and coordinates departmental word processing systems.

New courthouses were opened in Wetaskiwin, Red Deer and Drumheller during this fiscal year. Circuit court facilities in Elk Point and in Crowsnest Pass were also completed. The six-floor, 32-courtroom Law Courts Addition, housing the Edmonton Provincial Court, was opened in October, 1983.

Micrographic Services

This section provides microfilming, processing, editing and duplicating services to the department through laboratories in Calgary and Edmonton. A total of 7,531,061 camera exposures, creating micrographic records, were made last year.

The special project to convert the old title book system in Edmonton was completed.

Official Documents and Appointments

This section serves two primary functions: processing appointments and maintaining current files on the Province's Commissioners for Oath and Notaries Public, and administering the Provincial Secretary's office.

PLANNING, RESEARCH AND DEVELOPMENT BRANCH

Manager: J.G. Gallo

The branch provides planning and research services and coordinates the development and implementation of electronic data and word processing systems.

The Research and Analysis Section provides services to senior management and to the various divisions and branches of the department. The services include the planning, development and evaluation of projects, policies and programs; preparation of policy discussion papers and briefing materials; coordination of departmental analysis of various issues; management consulting and selected statistical research.

The Systems Section is responsible for the planning and development of electronic data and word processing systems throughout the department. Specific data processing projects are described within the submissions of the various divisions and branches, and include such projects as Court Automation, Central and Vehicle Registry, Medical Examiner, Public Trustee and various word processing systems.

COMMUNICATIONS BRANCH

Manager: A.G. Fraser

The branch provides a range of public affairs services to the department.

The services include public relations, media relations and interviews; coordination of news conferences, media coverage, displays, and advertising; production of news releases and staff bulletins. Public information booklets, the department's Annual Report, and the Alberta Court Calendar are also produced.

News Media Services

During the year news releases were issued on behalf of the department and related agencies. The branch also coordinated news media interviews for senior management and responded to media requests on a variety of issues.

Conferences and Seminars

In 1983-84, Communications coordinated the production of agendas, programs and papers for a number of seminars and conferences.

INTERNAL AUDIT BRANCH

Manager: E. Berg

The branch is concerned with the management control process and provides an internal audit service to the department. Management is advised of program effectiveness and efficiency through an independent, systematic appraisal of departmental activities.

PERSONNEL SERVICES BRANCH

Manager: G.D. Dawson

The branch provides a full range of human resource services in the areas of recruitment and selection, classification, employee relations, staff development and personnel planning.

Selection and Classification Section

The Selection and Classification section provides consulting services to managers in the areas of selection, classification, and organization structure. The section has also been responsible for the development and implementation of a detailed manpower establishment control system providing weekly reports on vacancy levels.

Restraints placed on position establishment have resulted in greater use being made of specialized employment programs such as Summer Temporary Employment Program (STEP), Priority Employment Program (PEP), and the Special Placements Program. These programs have involved over 100 projects in the department, providing valuable work experience for students and unemployed Albertans.

While fiscal restraint has caused a decrease in the number of new positions being created, classification activity remained strong, with more classifications and position updates than last year.

Employee Relations Section

Routine contract interpretation and provision of advice on disciplinary action continued to be major functions of this section. In addition to providing training for managers and supervisors in the area of employee relations, a "Supervisors Guide" was printed and distributed to further improve the labour relations climate.

Staff Development Section

The number of department courses delivered by this section has increased by approximately 65 per cent to a total of 77 programs delivered to 860 participants. Programs included Managing Human Resources, Counter Skills, Supervision, Telephone Techniques, Job Description Preparation, Interpersonal Communications, Preparation for Promotional Interviews and Employee Relations.

Specialized programming in the para-legal area continues to be delivered to employees of Court Services.

Personnel Statistics

Refer to Table 7 on page 26 for statistics on Selection and Classification transactions, and to Chart 1 on page 27 illustrating the department's manpower deployment by region.

LEGISLATIVE COUNSEL OFFICE

Legislative Counsel: P.J. Pagano

The Legislative Counsel Office drafted 104 public acts that received royal assent and prepared 1033 Orders-in-Council passed by Cabinet during the year ending March 31, 1984. It also drafted the majority of the 476 regulations filed under the Regulations Act during that period. In addition, revision of the Alberta Regulations continued throughout the year.

OFFICE OF THE CHIEF MEDICAL EXAMINER

Chief Medical Examiner: J.C. Butt, M.D.

Medical Examiner System

The Chief Medical Examiner investigates unexpected or unexplained deaths, including all unnatural deaths occurring in the province. These categories represent about 35 per cent of all Alberta deaths. The Fatality Inquiries Act requires the Chief Medical Examiner to issue certificates approving cremation, shipment out of province, or dissection under the Universities Act. Approximately 150 medical examiners working on a fee-for-service basis conduct investigations. There are also two full-time forensic pathologists in the Office of the Chief Medical Examiner. Medical Examiner facilities are located in Edmonton and Calgary. A new office was opened in Calgary in July, 1983.

Education

The office continues to provide an education program. This is directed primarily to medical persons, police officers, and other personnel involved in the investigation of sudden death.

Public Inquiries

The Fatality Review Board is responsible for making the decision on whether to hold a public inquiry into a sudden death. The board is appointed by the Lieutenant-Governor-in-Council, and is composed of a lawyer, a physician and a lay person. The Chief Medical Examiner is an ex-officio member of this board.

Public inquiries are held before a judge of the Provincial Court of Alberta. There were 56 inquiries in 1983, compared with 74 in 1982.

Death Notification

In the 1983 fiscal year there were 3,853 deaths investigated, compared with 4,020 in the previous year. Details of case-load volumes for 1983 are available in Table 8 on page 27.

Research System

The unit's primary function is to supply statistics to government, university and other agencies with an interest primarily in social and medical matters. Considerable emphasis is placed on the preventable aspects of sudden, unnatural deaths.

Boards And Associated Agencies

CRIMES COMPENSATION BOARD

Chairman: B.V. Massie, Q.C.

Alberta's Crimes Compensation Board was established in 1969 to help victims of violent crime who suffer financial loss as a direct result of injuries.

During the last year, there were 372 applications for compensation. Of these applications, 327 were from individuals who had been injured and suffered loss; the remainder were for loss resulting from death, including claims for support by dependants.

The number of decisions made by the board totalled 551. Of these, 345 were final awards, 32 were refusals of claims and the remainder were interim or supplemental awards. The total compensation ordered by the board to be paid in the year was $959,469, including $266,340 in monthly payments for continuing liability.

The most frequent crimes giving rise to application were Assault causing bodily harm (286), Robbery with violence (47), Wounding with intent (32), Murder (57), Attempted murder (42).

Eighteen crimes involved the use of firearms, while 32 involved the use of knives. Approximately one-quarter of the applications resulted from excessive use of alcohol.

Periodic Payments

The board exercises authority to make awards involving periodic payments. Annual reviews by the Board may change the amount of the payment to reflect changing circumstances. Over an extended period, the total of monthly payments may well equal the amount the civil courts might have awarded by way of damages. Several applicants would have been entitled to social assistance, but the payments by the board correspond more closely to the earnings they have lost as a result of a violent crime. At present, 46 victims are receiving monthly payments, ranging from $50 to $2,300.

LAND COMPENSATION BOARD

Chairman: K.J. Boyd

The Land Compensation Board began the fiscal year with 140 active cases on its docket. During 1983 it received 85 additional applications, of which 65 were applications to determine compensation and 16 were applications asking the board to decide issues arising out of expropriation procedures. The board was also required to act as approving authority for four expropriations.

The board heard 41 cases during 1983. Sixty-four cases were settled by the parties without the need of formal hearings before the board. At the end of the year, 120 active cases remained on the docket.

All decisions of the board are given in writing, with reasons. Copies of each decision are filed with provincial courthouses and the law libraries of the University of Alberta and the University of Calgary. The board provides free copies of specified decisions on request.

The board consists of five members: a chairman, one full-time member and three part-time members. The board has a support staff of five.

ALBERTA GAMING COMMISSION

Chairman: D.I. Gardner

Established in January, 1981 as the provincial licencing authority for lottery schemes under the Criminal Code, the Alberta Gaming Commission licences bingos, casinos, raffles and pull-ticket sales conducted by charitable or religious organizations for charitable or religious purposes.

Additionally, the seven-member commission is responsible for reviewing gaming policy, providing information on licenced gaming to the public, and advising volunteer groups.

Where concerns or uncertainties are identified in the review of an application, the commission provides the opportunity for representatives of the applicant to appear at one of its regular public hearings. After considering all presentations and evidence appropriate to the application, the commission issues a licencing decision, with reasons.

The commission publishes and distributes an annual review summarizing each year's activities, including new developments and licenced gaming statistics for Alberta.

LEGAL AID SOCIETY OF ALBERTA

Executive Director: B.J. Cavanaugh

The Legal Aid Society provides legal services in criminal and civil matters to financially eligible applicants.

In criminal cases, coverage is available for all indictable offences, and for summary conviction offences where imprisonment or loss of livelihood is likely upon conviction. Civil cases are covered where there is merit or likelihood of success. Divorce-case services are included in circumstances of compelling need. Where possible, clients contribute toward the cost of providing legal services and efforts generally are made to recover expenditures.

The society's executive director, and the southern and northern directors are members of the Law Society, and the finance director is an accountant. Policy is established by the society's Board of Directors, subject to approval by the Law Society of Alberta. The board is, by agreement, responsible to the Law Society for the provision of legal aid. The Board of Directors has 15 members, representing the Law Society, the provincial and federal governments and the public.

Funding

The Legal Aid Society received $11,403,324 from the Government of Alberta, which will recover a portion of this amount from the Government of Canada.

Activity

In 1983-84, the society received 30,503 applications for legal aid services, an increase of nine per cent over the previous year. Over the same period, applications approved for services increased by nine per cent to 18,900 from 17,267.

Service and Tariff

All client service and legal assistance is provided by members of the Law Society in private practice. They are appointed by the society to represent a specific client and act on a tariff of fees which seeks to represent a proportion of private fee ranges.

Participation under the tariff represents the substantial contributions of the private Bar to the provision of legal aid. This tariff was increased by six per cent in certain specific areas on September 1, 1983.

Receipts, Disbursements and Cost Factors

For the fiscal year 1983-84, the Legal Aid Society received $11,403,324, comprised of $10,421,000 from government, $782,272 from client and other recoveries, and $200,052 from interest and sundry sources. Disbursements in the period totalled $10,951,668. Of that amount, 76 per cent, or $8,268,234, was accounted for legal fees and disbursements. Salary and fringe benefit costs were 11 per cent and administrative cost six per cent of disbursed funds.

Recoveries of $782,272 showed an increase of 29 per cent. The average cost per case in criminal matters was $407, a decrease of one per cent. There were 14,853 such cases completed.

Average cost per case in civil matters was $364, a decrease of one per cent, with 4,319 cases completed. The duty counsel program assisted 18,744 persons, an increase of 21 per cent. The average cost per case was $31.97, a decrease in cost per case of 17 per cent.

APPENDICES

Statistical Information

- Court Statistics
- Land Titles Offices
- Public Trustee
- Property Registration
- Financial
- Personnel
- Chief Medical Examiner
- Staff Distribution Chart

Acts Administered

Table 1

COURT STATISTICS
Caseload Statistics for Year-End March 31, 1984

Court of Appeal of Alberta

	1983-84	1982-83
Number of Civil appeals filed	865	746
Number of Civil appeals heard	372	291
Number of Criminal appeals filed	1,432	1,201
Number of Criminal appeals heard	1,387	1,526

Court of Queen's Bench of Alberta

Civil and Criminal Cases	1983-84	1982-83
Civil Actions commenced (excluding divorce)	92,039	93,830
Civil trials heard (excluding divorce)	1,799	1,502
Petitions for divorce commenced	10,342	11,133
Decree nisi granted	8,404	8,742
Criminal trials heard	3,028	2,828
Summary conviction appeals filed	1,252	1,202
Summary conviction appeals heard	1,158	1,120

Sheriff's Office	1983-84	1982-83
Writs of execution filed	38,948	38,082
Distress warrants filed	25,555	24,272
Seizure activities	31,018	31,409
Process served	31,878	32,496

Table 2

Activities of the Land Titles Offices
For Year-End March 31, 1984

Type of Activity	1983-84	1982-83
Document Registrations		
Transfers	110,137	101,892
Mortgages	72,604	74,290
Caveats	74,645	87,214
Liens	18,084	16,774
Discharges	182,738	159,876
Easements & Utility Right-of-Ways	9,140	9,859
Miscellaneous	73,442	68,999
Total	**540,790**	**518,904**
Survey Plan Registrations		
Subdivision Plans	1,058	1,420
Condominium Plans	146	201
Road Plans	1,156	1,078
Right-of-Way Plans	2,339	1,932
Others	350	263
Total	**5,049**	**4,894**
Tax Recovery		
Titles Endorsed	13,645	10,614
Tax Notices Issued	28,564	26,390
Certificates of Title Issued		
On Transfers	130,910	111,240
On New Subdivision Plans	8,021	14,425
On New Condominium Plans	9,292	10,320
Total	**148,223**	**135,985**

Table 3

Public Trustee
Trust Balance Sheet
For The Year-End March 31, 1984

Assets	1983-84	1982-83
Estate and beneficiaries assets		
Consolidated investment fund		
Cash in trust bank accounts	$ 457,732	$ 45,777,735
Fund investments	109,764,483	46,751,760
	110,222,215	92,529,495
Other estate assets		
Direct investments	29,371,216	35,049,668
Accounts and rent receivable	1,728,651	1,226,666
Mortgages, agreements and notes receivable	1,435,309	1,536,241
Real estate	8,665,615	7,731,162
Miscellaneous assets	841,102	816,603
Total	**$152,264,108**	**$138,889,835**
Liabilities		
Estate and beneficiaries liabilities		
Advances due to the Provincial Treasurer	$ 17,278	$ 19,651
Accounts payable	2,083,588	1,692,492
Mortgages and Agreements payable	1,380,733	1,014,068
	3,481,599	2,726,211
Estate and Beneficiaries Capital	148,782,509	136,163,624
Total	**$152,264,108**	**$138,889,835**

Table 4

Personal Property Registration Branch
Activities of the Central and Vehicle Registries
For Year-End March 31, 1984

Type of Activity	1983-84	1982-83
Documents registered		
Central	182,140	162,088
Vehicle	411,718	410,217
Trade name and partnerships	13,575	11,306
Limited partnerships	277	315
Amendments to limited partnerships	833	597
Encumbrance searches		
Central	122,333	105,127
Vehicle	432,818	418,556

Table 5

Financial Services
Statement of Revenue for Year-End March 31, 1984
(unaudited)

		1983-1984	1982-1983	Increase (Decrease)
Payments from Government of Canada:				
	Legal Aid (1)	$ 1,265,183	$ 2,623,040	(1,357,857)
	Other	231,700	225,000	6,700
		1,496,883	2,848,040	(1,351,157)
Fees, Permits and Licences:				
	Land Titles	20,642,923	21,365,030	(722,107)
	Clerks of the Court Act	3,663,042	3,710,567	(47,525)
	Public Trustee Act	2,533,919	2,123,567	410,352
	Registrar's Assurance Fund (2)	1,497,958	1,700,258	(202,300)
	Sheriff's Act	1,509,354	1,637,620	(128,266)
	Central Registry	1,453,997	1,378,986	75,011
	Lottery Licences	1,322,131	1,330,827	(8,696)
	Other	305,121	281,276	23,845
		32,928,445	33,528,131	(599,686)
Other Revenue:				
	Refunds of expenditure:			
	Salaries and expenses	78,486	119,659	(41,173)
	Previous years' refunds	15,284	97,621	(82,337)
	Statute Fines	21,096,404	18,609,349	2,487,055
	Miscellaneous	933,667	835,001	98,666
		22,123,841	19,661,630	2,462,211
	Total Revenue	**$56,549,169**	**$56,037,801**	**$ 511,368**

(1) During fiscal year 1983-84 the Criminal Legal Aid cost-sharing agreement was re-negotiated. The amended agreement eliminated the Government of Canada's contribution towards 1982-83 Legal Aid expenditures. That contribution becomes payable should the agreement be terminated prior to April 1, 1994. The elimination of this contribution in respect to 1982-83 is offset against the reported payments for 1983-84.

(2) Assurance fund surplus subject to transfer to Treasury.

Table 6

Financial Services
Statement of Expenditures for Year-End March 31, 1984
(unaudited)

	1983-1984	1982-1983 (1)	Increase (Decrease)
Minister's office	$ 190,105	$ 168,299	$ 21,699
General administration	6,333,936	7,082,826	299,564
Court support service	8,751,491	7,189,833	1,524,870
Court operations			
Calgary	13,765,678	12,157,670	1,574,339
Edmonton	15,561,532	14,059,684	1,387,265
Other locations	15,631,545	14,079,134	1,213,128
Crown counsel	12,127,244	10,633,212	1,331,167
Civil Law Division	6,857,040	5,769,589	1,078,453
Gaming Control	1,282,828	1,170,029	108,809
Other legal services	2,563,329	2,407,721	278,684
Legal Aid plan	10,421,000	8,811,522	1,609,478
Public Trustee	5,210,837	4,428,726	705,554
Personal Property Registration	3,739,062	2,774,973	796,929
Land Titles — Calgary	4,059,276	3,875,802	116,221
— Edmonton	5,285,757	4,649,193	493,992
Land Compensation Board	389,920	357,415	29,663
Medical Examiner	3,855,151	2,576,054	1,266,160
Crimes Compensation Board	1,127,323	994,445	132,220
Public Utilities Board	2,531,457	2,312,438	219,019
Gaming Commission	321,253	303,997	15,988
Total Expenditures	**$120,005,764**	**$105,882,562**	**$14,203,202**

(1) Figures for 1982-83 have been re-stated where necessary to conform to 1983-84 statement presentation.

Table 7

Personnel Services
Selection and Classification Transactions
For Year-End March 31, 1984

Selection Transactions		
	Competitions	176
	Appointments	
	New employees	236
	Promotions	44
	Transfers	108
	Total	388
Classification Transactions		
	New positions created	6
	Reclassifications	404
	Updates	185
	Total	595

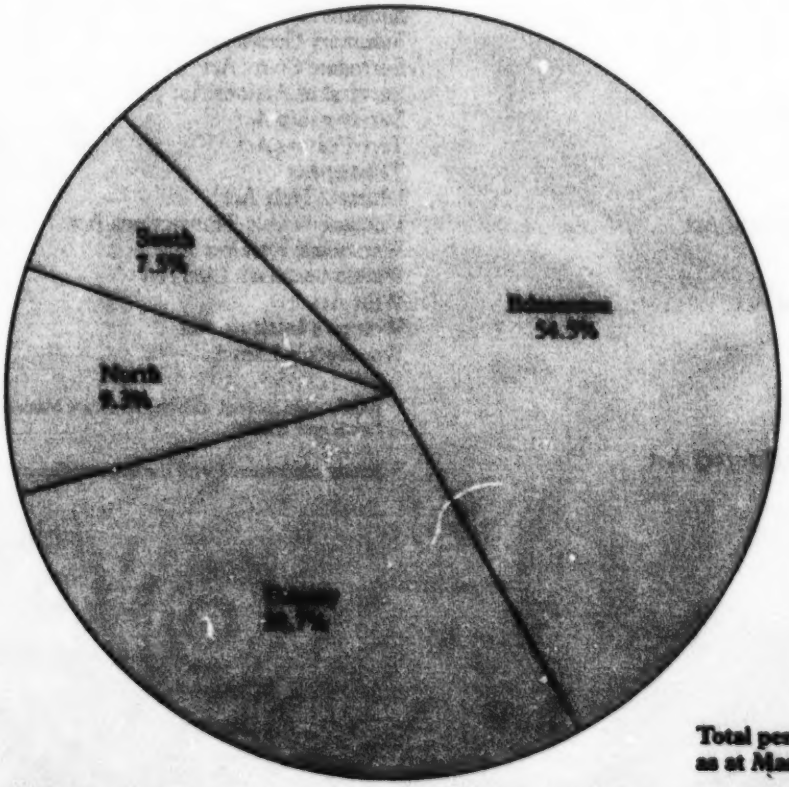
Table 8

Office of the Chief Medical Examiner
Deaths Reported For Year-End March 31, 1984

Manner of Death	Total Provincial 1983-84	1982-83
Natural	2,261	2,364
Accidental	353	383
Motor Vehicle	441	520
Suicidal	424	388
Homicidal	54	82
Unclassified	182	198
Undetermined	65	85
Pending	73	—
Totals	**3,853**	**4,020**

Chart 1

Geographic Distribution of Alberta Attorney General Staff
Year-End March 31, 1984



Total permanent positions as at March 31, 1984: 2,465

Acts Administered By The Attorney General

Administration of Estates Act
Administrative Procedures Act
Age of Majority Act
Alberta Evidence Act
Alberta General Insurance Company Act
Alberta Lord's Day Act
Alimony Orders Enforcement Act
Arbitration Act
Assignment of Book Debts Act
Bills of Sale Act
Builders' Lien Act
Bulk Sales Act
Chattel Security Registries Act
Commissioners for Oaths Act
Conditional Sales Act
Contributory Negligence Act
Court of Appeal Act
Court of Queen's Bench Act
Criminal Injuries Compensation Act
Dangerous Dogs Act
Daylight Saving Time Act
Defamation Act
Department of the Attorney General Act
Devolution of Real Property Act
Domestic Relations Act
Dower Act
Execution Creditors Act
Exemptions Act
Expropriation Act
Extra-Provincial Enforcement of Custody Orders Act
Factors Act
Family Relief Act
Fatal Accidents Act
Fatality Inquiries Act
Fraudulent Preferences Act
Frustrated Contracts Act
Garagemen's Lien Act
Gas Utilities Act
Guarantees Acknowledgement Act
Innkeepers Act
Interpretation Act
Interprovincial Subpoena Act
Intestate Succession Act
Judicature Act
Jury Act
Justices of the Peace Act
Land Titles Act
Landlord's Rights on Bankruptcy Act
Law of Property Act [1]
Legal Professions Act
Legitimacy Act
Limitation of Actions Act
Maintenance Order Act
Married Women's Act
Masters and Servants Act
Matrimonial Property Act
Mechanical Recording of Evidence Act
Minors' Property Act
Notaries Public Act
Oaths of Office Act
Occupiers' Liability Act
Partnership Act
Perpetuities Act
Petty Trespass Act
Police Act [2]
Possessory Liens Act
Proceedings against the Crown Act
Provincial Court Act
Provincial Court Judges Act
Public Inquiries Act
Public Trustee Act
Public Utilities Board Act
Queen's Counsel Act
Reciprocal Enforcement of Judgements Act
Reciprocal Enforcement of Maintenance Orders Act
Regulations Act
Revised Statues 1980 Act
Road Building Machinery Act
Sale of Goods Act
Seduction Act
Seizures Act
Summary Convictions Act
Surrogate Court Act
Survival of Actions Act
Survivorship Act
Tort-Feasors Act
Trustee Act
Ultimate Heir Act
Unconscionable Transactions Act
Warehouse Receipts Act
Warehousemen's Lien Act
Wills Act
Women's Institute Act
Woodmen's Lien Act

[1] Jointly administered with the Associate Minister of Public Lands and Wildlife.

[2] Jointly administered with the Solicitor General.